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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/007,317	11/05/2001	Robert R. DeWitt	0412-P00912US3	4088
110	7590	04/21/2004	EXAMINER	
DANN, DORFMAN, HERRELL & SKILLMAN 1601 MARKET STREET SUITE 2400 PHILADELPHIA, PA 19103-2307			BUTLER, MICHAEL E	
ART UNIT		PAPER NUMBER		3653

DATE MAILED: 04/21/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	10/007,317	DEWITT ET AL.
	Examiner Michael Butler	Art Unit 3653

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

1) Responsive to communication(s) filed on 11 March 2004.

2a) This action is **FINAL**.      2b) This action is non-final.

3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

4) Claim(s) 1-33 is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5) Claim(s) \_\_\_\_\_ is/are allowed.

6) Claim(s) 1-33 is/are rejected.

7) Claim(s) \_\_\_\_\_ is/are objected to.

8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

9) The specification is objected to by the Examiner.

10) The drawing(s) filed on \_\_\_\_\_ is/are: a) accepted or b) objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. §§ 119 and 120

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a) All    b) Some \*    c) None of:

    1. Certified copies of the priority documents have been received.

    2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

    3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

13) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

a) The translation of the foreign language provisional application has been received.

14) Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

#### Attachment(s)

1) Notice of References Cited (PTO-892)      4) Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_ .

2) Notice of Draftsperson's Patent Drawing Review (PTO-948)      5) Notice of Informal Patent Application (PTO-152)

3) Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ .      6) Other: \_\_\_\_\_

## **DETAILED ACTION**

The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office Action, and apply to this and any subsequent Office Actions.

### ***Priority***

1. Applicants claim of priority as a CIP of application 09/160401 filed 9/26/98 and as a CIP 09/113869 filed 7/10/98 and as a CIP of 08/687704 filed 7/26/96 and 08666737 filed 5/17/96 and 09/655008 filed 09/05/2000.

### ***Drawings***

2. Applicants drawings filed 11/27/02 are acceptable.

### ***Claim Rejections - 35 USC § 103***

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 1-23 are rejected under 35 U.S.C. 103(a) as being unpatentable over Stevens et al. '273 in view of Miller. Stevens et al. '273 discloses the major elements including:

serially feeding envelopes from an input bin (c5 L 1-2)  
opening an envelope along at least one edge (c9 L 35-55)  
presenting contents of the envelope for removal at an extraction station (c10 L 12-48)  
holding the envelope at the extraction station while contents are removed from the envelope  
feeding the contents to an imager and scanning the contents (c21 L 13-17)  
removing the envelope from the extraction station after removal of the envelope contents (c 15 L 1-19; c10 L 12-48)

storing image data on a non-volatile storage medium (c12 L 40-65)  
the envelope is pulled apart to expose the contents (c10 L 12-48)  
verifying that all of the contents of the envelope have been removed (c10 L 12-48)  
holding an envelope at a verifier while a subsequent envelope is held at the extraction station (c 13 L 1-31, system precludes passage of documents while retained document is in envelope as seen by gating of conveyors)  
scanning contents to obtain magnetic image data and optical image data of selected documents (c29 L 1-40)  
analysis of the magnetic indicia and optical image data is corroborated to verify accuracy of the document (c21 L 14-59; c 22 L 22-40)  
magnetic indicia is read to locate and read magnetic indicia and optical image data (c21 L 14-59; c 22 L 22-40)  
determining transaction type and correlating image data with the transaction type (c 22 L 7-40)  
the opening step is performed by cutting along at least one edge (c9 L 34-55)  
documents are singulated to serially convey the documents through an imager (c16 L 1-10)  
examining the removed contents to determine information regarding the contents and controlling the manner in which the contents are fed to the imager in response to the determined information (c 22 L 7-40)  
the documents are sorted responsive to the determined information (c29 L 65- c30 L 40)  
imager comprised multiple chutes in which documents are feed according to document type (c 22 L 7-40)  
the removed documents are examined to determine information and auditory signals are provided to determine information & control processing of the contents (c21 L 14-59)  
magnetically scanning at least one document to read magnetic indicia (c 22 L 7-40)  
analyzing optical image data for at least one document to locate and read magnetic indicia (c21 L 14-59; c 22 L 22-40)  
results of magnetically scanning and optically scanning documents are used to compare and locate magnetic indicia (c21 L 14-59; c 22 L 22-40).

Stevens et al. '273 further teaches the modularity and interchangablility of the component subsystems, particularly of the extracter (c5 L 1-5).

Miller et al. discloses a semi-automated document processing system in which the automated the document is manually removed by an operator from a cut envelope (c7 L 46-53;c1 L 36-39). It would have been obvious at the time of the invention to omit the automated document extractor and remove the document from the envelope because removal saves the capital cost associated with the automated extractor and provides a reliable approach to

document removal verification and manual operation of steps helps in repair, upgrade, and trouble shooting as taught by Miller et al. and thereby come up with the instant claimed invention.

***Response to Arguments***

5. Applicant's argument that the Stevens '577 patent is in the chain of priority of the instant application is persuasive in removing that reference from the set of available prior art.

The applicant's arguments regarding Stevens '273 have been fully considered but they are unconvincing in overcoming the rejections. It would be obvious to one of ordinary skill in the art to use the teachings of Stevens '273 and reduce the level of technology and perform a task manually. Certainly machine breakdowns, repair, upgrade, and trouble shooting of portions of the system are going to result in occasions wherein the device of Stevens '273 will need have remittances removed by hand and troubleshooting will certainly involve situations in which a device needs have tasks performed by hand.

***Conclusion***

6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Exmr. Michael E. Butler whose telephone number is (703) 308-8344.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Donald Walsh, can be reached on (703) 306-4173. The fax number for the Group is (703) 305-7687.

*Michael E. Butler*

Michael E. Butler

Examiner

  
DONALD P. WALSH  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 3600